

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAMES E. CONYERS, JR.,

Petitioner,

Case Number: 05-40261

v.

HONORABLE PAUL V. GADOLA

SHERRIE L. BURT,

Respondent.

**ORDER DENYING PETITIONER’S MOTION FOR BOND AND REQUEST
FOR RECONSIDERATION OF COURT’S ORDER DENYING MOTION FOR BOND**

Petitioner filed the pending habeas petition on July 18, 2005. The matter was assigned to the Honorable John Corbett O’Meara under case number 05-60168. On the same date that he filed his petition, Petitioner filed a Motion for Bond. The Court denied the motion. See Order Denying Petitioner’s Motion for Bond, August 2, 2005 (O’Meara, J.). The matter was then reassigned to the undersigned Judge as a companion to case number 04-40093 and assigned case number 05-40261. Now before the Court are Petitioner’s second Motion to Request Bond and Request for Reconsideration of Court’s Order Denying Motion for Bond.

The Local Rules for the Eastern District of Michigan state that in a motion for rehearing or reconsideration “the movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.” L.R. 7.1(g)(3). A “palpable defect” is a “defect which is obvious, clear, unmistakable, manifest or plain.” Olson v. The Home Depot, 321 F. Supp. 2d 872, 874 (E.D.

Mich. 2004) (Gadola, J.). Further, the Local Rules also provide that “the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” L.R. 7.1(g)(3).

Petitioner has not demonstrated the existence of a palpable defect in the Order Denying Motion for Bond. Therefore, this Court shall deny Petitioner’s motion. For the reasons set forth in Judge O’Meara’s Order Denying Motion for Bond, the Court also denies Petitioner’s second Motion to Request Bond.

Accordingly, IT IS ORDERED that Petitioner’s Motion to Request Bond [Dkt. #6] and Request for Reconsideration [Dkt. #8] are DENIED.

s/Paul V. Gadola
PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Dated: January 3, 2006

Certificate of Service

I hereby certify that on January 3, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Brenda E. Turner, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: James Conyers, Jr..

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
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